IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

RP.No. 722 of 2007(F)

AGAINST THE JUDGEMENT IN W.P.(C).NO.27780/2006 DATED 04/06/2007
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PETITIONER/REVIEW PETITIONER:

P.S.SHAMSU, AGED 35 YEARS,
S/O LATE SULAIMAN, PULICKAL HOUSE,
KARINGAMTHURUTHU, KONGORPILLY P.O.,
ERNAKULAM DISTRICT.

BY ADV. SRI.BABU KARUKAPADATH.

RESPONDENTS/RESPONDENTS:
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1. **KERALA PUBLIC SERVICE COMMISSION, THIRUVANANTHAPURAM, REPRESENTED BY ITS SECRETARY.**
2. **DISTRICT OFFICER, KERALA PUBLIC SERVICE COMMISSION, ERNAKULAM.**
3. **STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

BY ADV. SRI.P.C.SASIDHARAN, SC, KPSC,
GOVERNMENT PLEADER SRI. LAKSHMI NARAYANAN.

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 06/08/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K. BALAKRISHNAN NAIR, J.

R.P. NO.722/2007 IN

W.P.(C) No. 27780/2006-F

ORDER

The petitioner seeks review of the judgment of this Court dated 4.6.2007. He was included as rank No.7 in the supplementary list of Muslim candidates in the rank-list published on 29.1.2004 for appointment to the post of Last Grade Servant in various departments in Ernakulam district. Noticing the submission of the learned counsel for the P.S.C that the rank-list expired on 28.1.2007 and also the further submission that at the relevant time were were several Muslim candidates in the main list, the writ petition was dismissed. The reason was that the petitioner who is included in the supplementary list is not likely to get any chance of advice. According to the petitioner the communal rotation was applied only while advising the first 20 candidates. Thereafter, many Muslim candidates who would have got advice under the merit quota were advised under the reservation quota. In other words, the meritorious candidates from the Muslim community were not included in the open merit quota and thereby the reservation vacancies were misused. So, the petitioner submits, if the

communal rotation was properly applied, he would have got appointment. Material particulars to support this claim is not produced in the writ petition or the review petition.

2. Further, if a candidate is wrongly advised and another candidate is wrongly denied advice, the same can be corrected even after the expiry of the rank-list. But, in this case nobody who is the beneficiary of the alleged wrong advice made, is made a party. Therefore, it is not possible to consider the case of the petitioner. Accordingly, the R.P is dismissed.

K. BALAKRISHNAN NAIR,
JUDGE.

6th August, 2007.
nm.